

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:17-cv-00282-MR-DLH**

RELION MANUFACTURING, INC.,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
TRI-PAC, INC.,)	
)	
Defendant.)	
<hr style="width:45%; margin-left:0"/>)	

THIS MATTER is before the Court on the Defendant's Motion to Dismiss for Lack of Personal Jurisdiction, or in the Alternative, to Transfer and Motion to Dismiss for Failure to State a Claim [Doc. 6]; the Magistrate Judge's Memorandum and Recommendation [Doc. 21] regarding the disposition of that motion; and the Defendant's Objections to the Memorandum and Recommendation [Doc. 22].

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable Dennis L. Howell, United States Magistrate Judge, was designated to consider the Defendant's motion and to submit a recommendation for its disposition.

On May 22, 2018, the Magistrate Judge filed a Memorandum and Recommendation in this case containing conclusions of law in support of a recommendation regarding the motion to dismiss and alternative motion to transfer. [Doc. 21]. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The Defendant timely filed Objections on June 5, 2018. [Doc. 22].

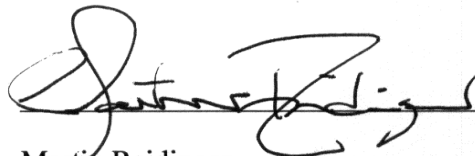
After careful consideration of the Memorandum and Recommendation and the Plaintiff's Objections thereto, the Court finds that the Magistrate Judge's proposed conclusions of law are correct and consistent with current case law. Further, upon careful consideration of the relevant factors, the Court in its discretion declines to transfer this matter. Accordingly, the Court hereby overrules the Plaintiff's Objections and accepts the Magistrate Judge's recommendation that the motion to dismiss and alternative motion to transfer should be denied.

IT IS, THEREFORE, ORDERED that the Defendant's Objections to the Memorandum and Recommendation [Doc. 22] are **OVERRULED**; the Memorandum and Recommendation [Doc. 21] is **ACCEPTED**; and the Defendant's Motion to Dismiss for Lack of Personal Jurisdiction, or in the

Alternative Transfer and Motion to Dismiss for Failure to State a Claim [Doc.
6] is **DENIED**.

IT IS SO ORDERED.

Signed: July 7, 2018


Martin Reidinger
United States District Judge

